

Draft Local Green Space Background Paper

MARKET OVERTON NEIGHBOURHOOD PLAN

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1. Introduction

- 1.1 Green spaces contribute to the quality of our built and natural environment and support healthy lifestyles and community-wellbeing. They can provide opportunities for sport, growing local food and other forms of physical activity and some provide space for local cultural events. They can provide habitats for wildlife and contribute towards mitigating climate change. In some instances they can provide valuable amenity space, enhancing the public realm and the setting of historic areas and buildings.
- 1.2 Responses to the MONP questionnaire delivered to residents in 2017 identified the importance of the natural environment to the local community. Approximately 51% of respondents appreciated the natural environment and wanted it to be conserved while >83% frequently access the countryside. Approximately 81% rated the importance of the built environment as high (i.e. rated it as either 4 or 5 on a scale of 1 to 5).
- 1.3 Government planning policy set out in the [National Planning Policy Framework](#) (NPPF) enables a Neighbourhood Plan to provide special protection against development of green spaces which are demonstrably special to a local community and hold a particular local significance.
- 1.4 This background paper explains the process leading to the proposed designation of areas of Local Green Space (LGS) in Policy MOP4 (Local Green Space) of the [Pre-Submission Draft Market Overton Neighbourhood Plan](#) (MONP). It sets out the national and local context and explains the methodology used to determine which sites to propose for designation in the MONP. It includes an inventory of sites that have been assessed and a brief explanation of the reasons why a site has, or has not, been included in the MONP.
- 1.5 As part of the consultation on the Pre-Submission Draft MONP we are inviting comments on the proposed LGS designations. Responses will inform the subsequent 'Submission' version of the MONP and will be used to update this background paper. Further information on the neighbourhood plan process can be found in the [Pre-Submission Draft MONP](#).

2. Government Policy and Guidance

- 2.1 [The National Planning Policy Framework](#) (NPPF), published by the Ministry of Housing, Communities and Local Government, sets out national planning policies for England. Paragraphs 99 to 101 enable local communities, through local and neighbourhood plans, to identify and protect green areas of particular importance to them. The NPPF indicates that policies for managing development within a LGS should be consistent with those for Green Belts.

- 2.2 Designation should only be used where the LGS is:
- In reasonably close proximity to the community it serves;
 - Demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife;
 - Local in character and is not an extensive tract of land; and
 - Capable of enduring beyond the end of the plan period
- 2.3 The NPPF is supported by National Planning Practice Guidance (NPPG). In respect of LGS the guidance indicates the following:
- i. Plans must identify sufficient land to meet identified development needs. LGS designation should not be used in a way that undermines this aim of plan making.
 - ii. Designation will rarely be appropriate where the land has planning permission for development. Exceptions could be where the development would be compatible with the reasons for designation or where planning permission is no longer capable of being implemented.
 - iii. Sites may be designated where the space is demonstrably special to the local community.
 - iv. Different types of designations are intended to achieve different purposes. If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as LGS.
 - v. The site will need to meet the criteria in paragraph 100 of the NPPF. Whether to designate land is a matter for local discretion. For example, green areas could include land where sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis.
 - vi. The proximity of a LGS to the community it serves will depend on local circumstances, including why the green area is seen as special, but it must be reasonably close. For example, if public access is a key factor, then the site would normally be within easy walking distance of the community served.
 - vii. There are no hard and fast rules about how big or small a LGS can be. However, it should not be an extensive tract of land.
 - viii. Some areas may already have largely unrestricted public access, though even in places like parks there may be some restrictions. However, other land could be considered for designation even if there is no public access (eg green areas which are valued because of their wildlife, historic significance and/or beauty).
 - ix. Designation does not confer any rights of public access over what exists at present. Any additional access would be a matter for separate negotiation with land owners, whose legal rights must be respected.
 - x. There is no need to designate linear corridors as LGS simply to protect rights of way, which are already protected under other legislation.
 - xi. LGS does not need to be in public ownership. However, the Parish Council should contact landowners at an early stage about proposals to designate any part of their land as LGS. Landowners will have opportunities to make representations in respect of proposals in a draft plan.

- xii Designating a green area as LGS would give it protection consistent with that in respect of Green Belt, but otherwise there are no new restrictions or obligations on landowners.
- xiii The management of LGS will remain the responsibility of its owner. If the features that make a green area special and locally significant are to be conserved, how it will be managed in the future is likely to be an important consideration. Local communities can consider how, with the landowner's agreement, they might be able to get involved, perhaps in partnership with interested organisations that can provide advice or resources.
- xiv Land designated as LGS may potentially also be nominated for listing as an Asset of Community Value. Listing gives community interest groups an opportunity to bid if the owner wants to dispose of the land.

3. The Rutland Development Plan

- 3.1 The MONP must be in general conformity with the strategic policies of the adopted Development Plan, which currently consists of the Rutland Core Strategy; the Rutland Site Allocations Development Plan; and the Rutland Minerals Core Strategy and Development Control Policies Development Plan Document.
- 3.2 [The Site Allocations Development Plan](#) designates two areas of land as important open space within Market Overton - part of the grounds of the Old Rectory on Teigh Rd and the open space on the Finches and Limes estate at the junction of Bowling Green Lane. Policy SP21 (Important open space and frontages) permits development of the open space only where it will not have an adverse impact on the character of the land.
- 3.3 The adopted Development Plan is, however, under review and is to be replaced by a single Rutland Local Plan. While the MONP must be in general conformity with the adopted Development Plan, the NPPG indicates that it should also be tested against the strategic policies of any emerging Local Plan in order to minimise the likelihood of conflict between policies in the two plans. At present (April 2020) the [Pre-Submission Rutland Local Plan](#) is the most up-to-date version of the emerging Local Plan.
- 3.4 Policy EN12 (Important open space and frontages) of the emerging Local Plan provides for the continued designation of the two sites referred to in paragraph 3.2 of this background paper while Policy EN13 (Designation of Local Green Spaces) indicates that neighbourhood plans may designate areas of Local Green Space where these are:
 - Within or immediately adjacent to the Planned Limits of Development;
 - Demonstrably special to the local community and holds a particular local significance;
 - Local in character and scale and is contained within clearly defined boundaries;
 - Not already subject to a planning permission or an adopted local plan allocation;
 - Not already protected by another designation or strategic planning policy; and
 - Physically or visually accessible in some form.

4. The Local Green Space Designation Process

- 4.1 This section of the background paper outlines the process followed to determine the areas of land proposed for designation as LGS in the MONP.

	Local Green Space Designation Process
1	Identification of green spaces
2	Assessment of green spaces
3	Pre-Submission Draft MONP stage – Formal consultation on the proposed designations.
4	Submission MONP stage - amend sites/policy, where appropriate, and submit the MONP to Rutland County Council for examination and referendum.

Step 1: Identification of green spaces

- 4.2 Sites highlighted on Figure 1 (see page 7) were identified as possible areas for designation as LGS from the following sources:
- The local knowledge of members of the MONP Steering Group;
 - Areas designated as important open spaces on the Rutland Local Plan Proposals Map (see paragraph 3.2, above); and
 - Feedback from early engagement on the MONP.

Step 2: Site assessment

- 4.3 The criteria outlined in the NPPF and NPPG and summarised in section 2 of this background paper were used to create a matrix for evaluating the sites highlighted on Figure 1 on page 7. The evaluation, set out in Appendix 1, provides a conclusion for each site and an explanation of the reasons why it has or has not been proposed for designation in the MONP.
- 4.4 To be proposed for designation as LGS all of the following criteria were required to be met:
- The site must not have planning permission for development nor must it be allocated or proposed for development in the Rutland Local Plan;
 - The land must be in reasonably close proximity to the village; and
 - It must not be an extensive tract of land.
 - Capable of enduring beyond the end of the plan period
- Sites which met all of the criteria were also required to be special to the local community for one or more of the following reasons: beauty; historic significance; recreational value; tranquility; richness of wildlife; or other demonstrable reason.
- 4.5 The assessment concluded that the following 7 sites, shown on Figure 2 (page 19), should be proposed for designation as LGS in the MONP
1. The fishing lake off Pinfold Lane.
 2. The church burial ground west of the junction of Teigh Rd and Church Lane
 3. The Allotment land east of the junction of Teigh Rd and Church Lane

4. The cricket ground off Thistleton Rd.
5. The Pinfold at the junction of Pinfold Lane and Bowling Green Lane.
6. The bowling green off Bowling Green Lane.
7. The children's play area at The Lodge, Main Street.

Step 3: Pre-Submission Draft MONP - formal consultation on the sites proposed for designation as LGS – CURRENT STAGE

- 4.5 Policy MOP4 of the MONP proposes the designation of 7 sites listed in paragraph 4.5 as LGS. We are now seeking your comments on the MONP and the findings of this background paper. Further information on how to submit comments will be available on the [Neighbourhood Plan](#) section of the Parish Council website.

Step 4: Submission MONP

- 4.6 Comments received during consultation on the Pre-Submission Draft MONP (step 3) will be considered and changes made, where appropriate. An updated version, known as the 'Submission Neighbourhood Plan', will be presented to the Parish Council and the community at a Parish Meeting. Rutland County Council will then publicise the Submission MONP and appoint an independent examiner to consider representations made at that stage, including any relating to the designation of land as LGS. Rutland County Council will subsequently consider the examiner's report, make any necessary changes to the MONP and determine if it should proceed to a referendum. Voters on the Market Overton electoral roll will be given the opportunity, via the referendum, to decide if the MONP should be brought 'into force' and used to determine planning applications.

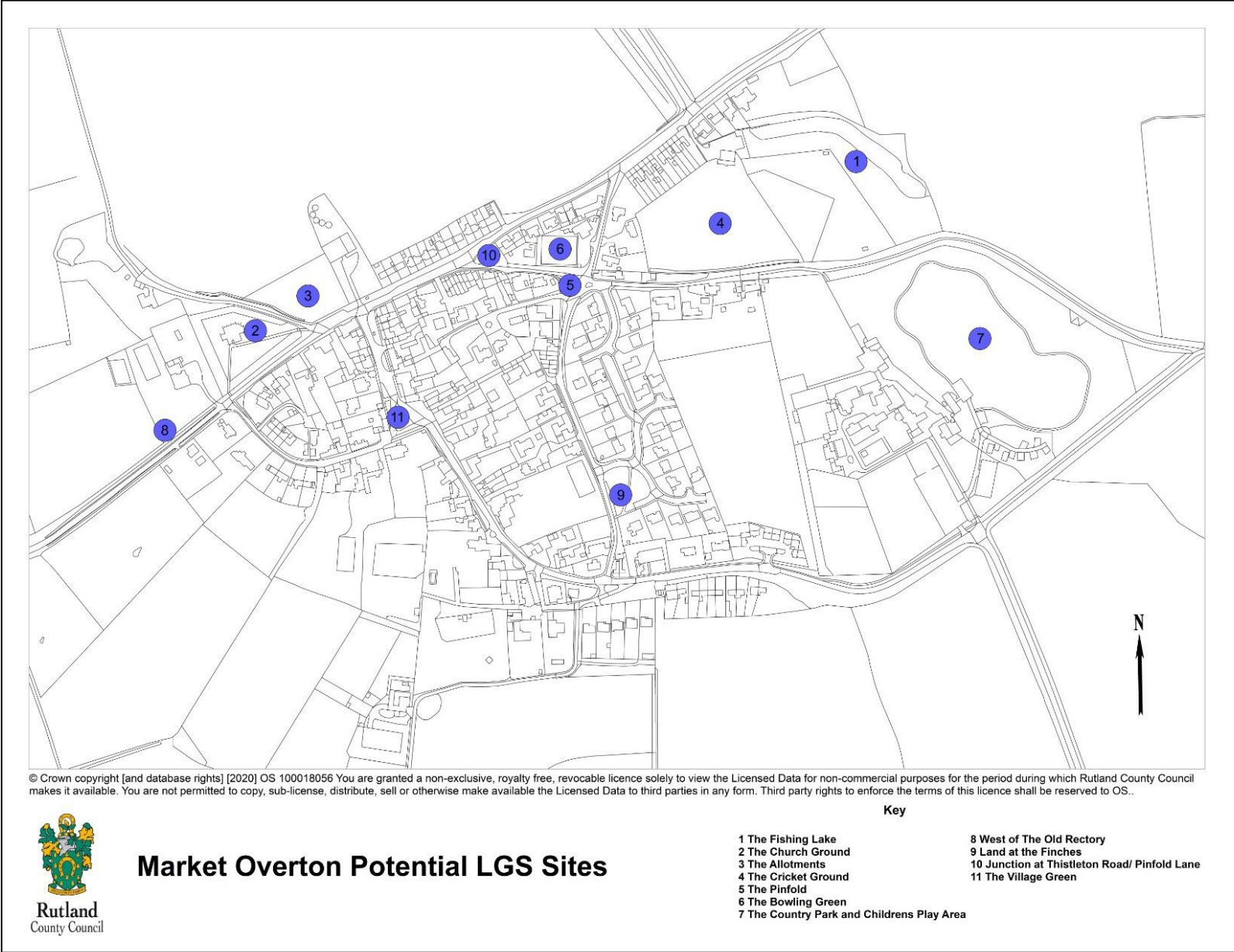


Figure 1: Sites assessed for possible designation as Local Green Space

No. on map 1	Site	Is it designated in the Local Plan or does it have planning permission for development?	Is it an extensive tract of land?	Is it within close proximity to the community it serves?	Is the space demonstrably special for any of the following reasons?						Should it be designated as LGS?
					Beauty	Historic Significance	Recreational Value	Wildlife	Tranquility	Other reasons	
1	The fishing lake. Pinfold Lane	No	No	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
 Comments: Location - Off Pinfold Lane bridleway on the north-east edge of the village. Beauty and tranquility – Primary use is as a quiet location for fishing. The lake and mature trees provide a rural, peaceful and visually attractive setting. While not formally accessible to the general public, the lake is visible from Pinfold bridleway at the southern end of the site while the backdrop of trees provide local landscape interest from, for example, Thistleton Road. Recreational value – Used as a fishing lake. Wildlife – Not designated for its wildlife value nor is the Parish Council aware of any important habitats or species present on the site. However, the lake and trees provide a habitat which is known to support associated wildlife including water fowl, fish and dragon flies. Other reasons – Identified on the map referred to in Policy MOP3 (Developing a green infrastructure network) of the MONP as a green feature which acts as an important ‘building block’ for a green infrastructure network within the Neighbourhood Area. Ownership - South Witham Fishing Club.											
Conclusion: The site should be designated as LGS.											

No. on map 1	Site	Is it designated in the Local Plan or does it have planning permission for development?	Is it an extensive tract of land?	Is it within close proximity to the community it serves?	Is the space demonstrably special for any of the following reasons?						Should it be designated as LGS?
					Beauty	Historic Significance	Recreational Value	Wildlife	Tranquility	Other reasons	
2	The church burial ground. Teigh Rd.	No	No	Yes	Yes	Yes	Yes	No	Yes	No	Yes



Comments:

Location - west of the junction of Teigh Rd and Church Lane and within the Conservation Area.

Beauty and historic significance - enhances the setting of both the grade I listed church of St Peter and Paul and the grade II lychgate war memorial at the Teigh Rd/Church Lane junction. The site includes the graves of local families. It adds to the character of the Conservation Area and plays an important role in the heritage of the village.

Wildlife - not designated for its wildlife value nor is the Parish Council aware of any important habitats or species present on the site.

Recreational value and tranquility - important as a place for quiet reflection.

Ownership - Parochial Church Council.

Conclusion:

The site should be designated as LGS

No. on map 1	Site	Is it designated in the Local Plan or does it have planning permission for development?	Is it an extensive tract of land?	Is it within close proximity to the community it serves?	Is the space demonstrably special for any of the following reasons?						Should it be designated as LGS?
					Beauty	Historic Significance	Recreational Value	Wildlife	Tranquility	Other reasons	
3	The allotments. Teigh Rd	No	No	Yes	No	No	Yes	No	Yes	Yes	Yes
 Comments: Location - east of the Teigh Rd and Church Lane junction and adjacent to the Conservation Area. Recreational value - allotment gardening is an important recreational activity, providing fresh food and the opportunity for exercise. Historic significance – Roman artefacts have been discovered on the site in the past. The OS map indicates that the allotments are in close proximity to an Anglo-Saxon burial ground. The land may have been the location of the original market. However, there are no known remaining features of significance on the site and it is not designated as a heritage asset. Wildlife - not designated for its wildlife value nor is the Parish Council aware of any important habitats or species present on the site. Tranquility - valued as a quiet, recreational area which is enhanced by the pleasant views out into the countryside. Other reasons – the church tower is visible when looking across the site from the junction of Main St and Thistleton - Land on an annual renewable lease in landowners' option Conclusion: The lease terms mean the site possibly cannot endure beyond the end of the plan period											

No. on map 1	Site	Is it designated in the Local Plan or does it have planning permission for development?	Is it an extensive tract of land?	Is it within close proximity to the community it serves?	Is the space demonstrably special for any of the following reasons?						Should it be designated as LGS?
					Beauty	Historic Significance	Recreational Value	Wildlife	Tranquility	Other reasons	
4	The cricket ground. Thistleton Rd.	No	No	Yes	No	Yes	Yes	No	Yes	Yes	Yes
 Comments: Location – accessed off Thistleton Road and located to the rear of the doctors’ surgery. The site adjoins the Conservation Area. Historic significance - former ironstone quarry which played a significant role in the heritage of the village Recreational value – village cricket ground that is also used for local events. Tranquility – provides a peaceful location when not in use for cricket or other events. Other – due to its location adjacent to the Pinfold Lane bridleway and the northern edge of the fishing lake (site 1, above), the site forms an important ‘building block’ of the potential green infrastructure network referred to in Policy MOP3 (Developing a green infrastructure network) of the MONP. The site, surrounded by development on three sides, also forms a valued incursion of open space into the village. Ownership – Market Overton cricket club											
Conclusion: The site should be designated as LGS.											

No. on map 1	Site	Is it designated in the Local Plan or does it have planning permission for development?	Is it an extensive tract of land?	Is it within close proximity to the community it serves?	Is the space demonstrably special for any of the following reasons?						Should it be designated as LGS?
					Beauty	Historic Significance	Recreational Value	Wildlife	Tranquility	Other reasons	
5	The Pinfold. Pinfold Lane	No	No	Yes	No	Yes	Yes	No	Yes	Yes	Yes



Comments:

Location - junction of Pinfold Lane and Bowling Green Road. The site is located within the Conservation Area.

Historic significance – former village pinfold used to keep stray animals overnight. It is a valued landmark of local historic significance which adds to the character of the Conservation Area.

Recreational value and tranquility - now used as a small, quiet, sitting area and is used by the public to socialise in fine weather.

Ownership – Market Overton Parish Council.

Conclusion:

The site should be designated as LGS.

No. on map 1	Site	Is it designated in the Local Plan or does it have planning permission for development?	Is it an extensive tract of land?	Is it within close proximity to the community it serves?	Is the space demonstrably special for any of the following reasons?						Should it be designated as LGS?
					Beauty	Historic Significance	Recreational Value	Wildlife	Tranquility	Other reasons	
6	The bowling green. Bowling Green Lane.	No	Yes	Yes	No	No	Yes	No	No	No	Yes
 Comments: Location - Bowling Green Lane towards the north end of the village. The site is located adjacent to the Conservation Area. Recreational value – village bowls club. Ownership – Market Overton bowls club											
Conclusion: The site should be designated as LGS.											

No. on map 1	Site	Is it designated in the Local Plan or does it have planning permission for development?	Is it an extensive tract of land?	Is it within close proximity to the community it serves?	Is the space demonstrably special for any of the following reasons?						Should it be designated as LGS?
					Beauty	Historic Significance	Recreational Value	Wildlife	Tranquility	Other reasons	
7	The Lodge County Park and children's play area. Main St.	No	Yes	Yes	Yes.	No	Yes	No	Yes	Yes	Yes



Comments:

Location - the country park forms part of the grounds of a privately owned care home for people with learning disabilities. It is located off Main Street to the east of the village and is within close proximity to Market Overton. The distance from the main entrance to the edge of the village is approximately 200m while the distance to the Main St/Berrybushes junction is approximately 650m.

Beauty and tranquility – a visually attractive area of parkland. It includes quiet, tranquil areas and seating.

Recreational value - The country park is open to members of the local community. Facilities include an extensively equipped children's play area leased by MOPA from The Lodge Trust , a

woodland walk with wheelchair access and adult exercise equipment. Funding and ongoing maintenance of the children's play area, which is the only such facility in the village, is organized by theMarket Overton Play Area Association (MOPA) of local parents.

Other reasons – The site is bounded to the north and east by Pinfold Lane bridleway with the fishing lake (site1, above) located to the north of the bridleway. Consequently, it forms an important component of the potential green infrastructure network identified on the map referred to in Policy MOP3 (Developing a green infrastructure network) of the MONP.

Ownership - The Lodge Trust.

Conclusion:

The site should be designated as LGS.

No. on map 1	Site	Is it designated in the Local Plan or does it have planning permission for development?	Is it an extensive tract of land?	Is it within close proximity to the community it serves?	Is the space demonstrably special for any of the following reasons?						Should it be designated as LGS?
					Beauty	Historic Significance	Recreational Value	Wildlife	Tranquility	Other reasons	
8	Land west side of the Old Rectory grounds. Teigh Rd.	Yes – designated as 'Important Open Space'	–	–	–	–	–	–	–	–	No
 Comment: The site is located on a ridge overlooking the Vale of Catmose to the west of Market Overton and acts as an important feature in the local landscape. It is within the Conservation Area and is designated as 'Important Open Space' in the adopted Site Allocations Development Plan. Rutland County Council is proposing to continue with this designation as part of the emerging Local Plan (see section 3 of this background paper). Further information on the reasons for the designation can be found in Rutland County Council's Review of Important Open Spaces and Frontages. As the site is designated as 'Important Open Space' it has not been assessed against the other criteria in the matrix.											
Conclusion: The land is designated as 'Important Open Space' and is within the Conservation Area. It is unlikely that any additional protection from development would be gained by designating it as LGS.											

No. on map 1	Site	Is it designated in the Local Plan or does it have planning permission for development?	Is it an extensive tract of land?	Is it within close proximity to the community it serves?	Is the space demonstrably special for any of the following reasons?						Should it be designated as LGS?
					Beauty	Historic Significance	Recreational Value	Wildlife	Tranquility	Other reasons	
9	Land on the Limes and Finches estate adjacent to Bowling Green Lane.	Yes – designated as ‘Important Open Space’	–	–	–	–	–	–	–	–	No
 Comment: The site is a small area of amenity land crossed by a footpath. There are several large trees on the site. It is located adjacent to the Conservation Area and is designated as ‘Important Open Space’ in the adopted Site Allocations Development Plan. Rutland County Council is proposing to continue with this designation as part of the emerging Local Plan (see section 3 of this background paper). Further information on the reasons for the designation can be found in Rutland County Council’s Review of Important Open Spaces and Frontages. As the site is designated as ‘Important Open Space’ it has not been assessed against the other criteria in the matrix.											
Conclusion: The land is designated as ‘Important Open Space’. It is unlikely that any additional protection from development would be gained by designating it as LGS.											

No. on map 1	Site	Is it designated in the Local Plan or does it have planning permission for development?	Is it an extensive tract of land?	Is it within close proximity to the community it serves?	Is the space demonstrably special for any of the following reasons?						Should it be designated as LGS?
					Beauty	Historic Significance	Recreational Value	Wildlife	Tranquility	Other reasons	
10	Land at the junction of Thistleton Rd and Pinfold Lane.	No	No	Yes	No	No	Yes	No	No	No	No



Comments:

Location – junction of Thistleton Road and Pinfold Lane. The site is bisected by the Conservation Area boundary.

Recreational value – a small area of amenity land which includes a bench and tree.

Ownership – The land is a highway verge maintained by Rutland County Council.

Conclusion:

The land is a highway verge. Designation would be unlikely to provide additional protection from development and it is not therefore proposed to designate the site as LGS.

No. on map 1	Site	Is it designated in the Local Plan or does it have planning permission for development?	Is it an extensive tract of land?	Is it within close proximity to the community it serves?	Is the space demonstrably special for any of the following reasons?						Should it be designated as LGS?
					Beauty	Historic Significance	Recreational Value	Wildlife	Tranquility	Other reasons	
11	The Village Green. Main St.	No	No	Yes	No	Yes	Yes	No	No	No	No
 Comments: Location - The Village Green is located at the junction of Main St and Berrybushes. Historical significance – located at the heart of the Conservation Area the Village Green enhances the character of the area and is an important local landmark. It provides a setting for the village stocks which are grade II listed and date from the 18th or early 19th century. The land is registered as a Village Green with Rutland County Council. Recreational value – a small area of amenity land with a public bench. Ownership – Maintained by the Parish Council. Conclusion: The land is a registered village green and, as such, is protected from development. No additional benefit would therefore be gained by designating it as LGS.											

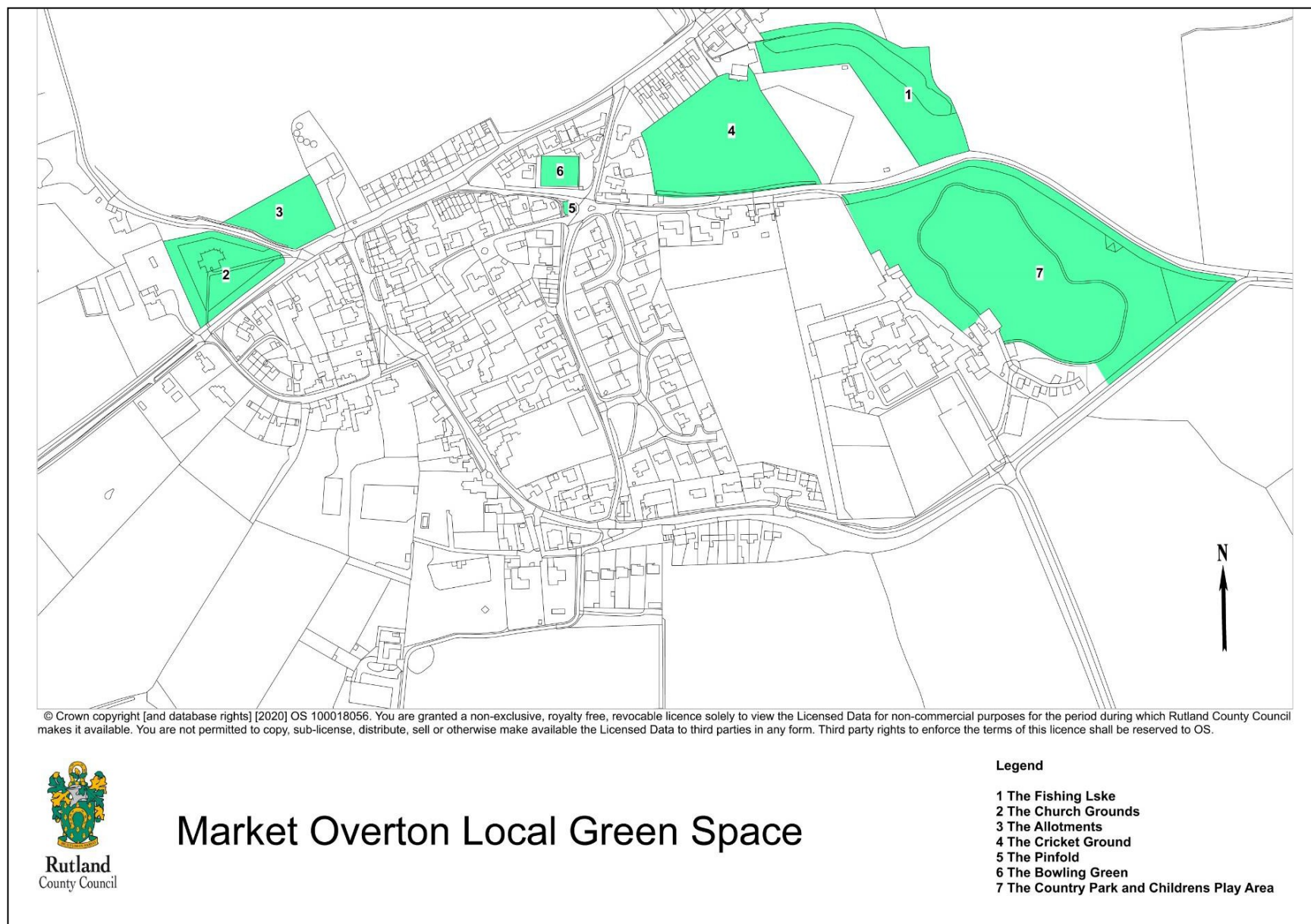


Figure 2: Sites proposed for designation as Local Green Space in the Pre-Submission Market Overton Neighbourhood Plan

